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AMENDED IN SENATE AUGUST 19, 2015
AMENDED IN ASSEMBLY JUNE 1, 2015
AMENDED IN ASSEMBLY APRIL 14, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 779

Introduced by Assembly Member Cristina Garcia

February 25, 2015

An act to ~~amend Sections 65088, 65088.1, 65088.4, 65089, 65089.3, and 65089.4 of~~ *add Section 53909 to the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.* *local government.*

LEGISLATIVE COUNSEL'S DIGEST

AB 779, as amended, Cristina Garcia. ~~Transportation: congestion management program.~~ *Local government: financial disclosures.*

Existing law requires a local agency, if it is required to report specified information to the Controller and if it maintains an Internet Web site, to post, in a conspicuous location on its Internet Web site, information on the annual compensation of its elected officials, officers, and employees, as specified.

This bill would require a city, county, city and county, or special district to post a link on the homepage of its Internet Web site that contains the names, positions, and total compensation, including a breakdown of the types of compensation provided, of each elected

official within that entity for the previous fiscal year and the 10 employees with the greatest total compensation, as specified. By increasing the duties of local officials, this bill would impose a state-mandated local program.

~~Existing law requires the development, adoption, and updating of a congestion management program with specified elements for each county that includes an urbanized area, as defined. The program is required to contain specified elements and to be submitted to regional agencies, as defined, for determination of whether the program is consistent with regional transportation plans. The regional agency is then directed to monitor the implementation of all elements of each congestion management program. Existing law defines “infill opportunity zone” for purposes of the above-described provisions to mean a specified area designated by a city or county according to certain provisions and that is within a specified distance of a major transit stop or high-quality transit corridor.~~

~~This bill would revise the definition of “infill opportunity zone” to not require that it be within a specified distance of a major transit stop or high-quality transit corridor. The bill would revise the requirements for a congestion management program by removing traffic level of service standards established for a system of highways and roadways as a required element and instead requiring measures of effectiveness for a system of highways and roadways. The bill would also require the program to analyze the relationship between local land use decisions and regional transportation systems, instead of analyzing impacts of the land use decisions on the transportation systems. The bill would delete existing law’s prohibition on including an estimate of the costs of mitigating the impacts of interregional travel and the requirement that the program provide credit for local public and private contributions to improvements to regional transportation systems. The bill would also require, to the extent the program identifies capacity enhancements, the evaluation of the potential for capacity enhancement to induce additional travel. To the extent this bill would impose additional duties on local officials relating to the development of a congestion management program, this bill would impose a state-mandated local program.~~

~~Existing law requires a local jurisdiction to prepare a deficiency plan with specified components when highway or roadway level of service standards are not maintained on segments or intersections, including an analysis of the cause of the deficiency, list of improvements necessary~~

~~to maintain minimum levels of service, and estimated costs of the improvements.~~

~~This bill would instead require a deficiency plan to be prepared if the agency determines the county or its cities is not conforming with the congestion management plan, and would remove the requirements that a list of improvements necessary and the estimated costs of the improvements be included in a deficiency plan. The bill would exempt from the deficiency cause analysis improvements to facilities for bicyclists, pedestrians, and public transportation, traffic generated by a transit priority project, and traffic generated by a mixed use development located within a transit priority project area or infill opportunity zone.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 65088 of the Government Code is~~
- 2 ~~amended to read:~~
- 3 ~~65088. The Legislature finds and declares all of the following:~~
- 4 ~~(a) Although California's economy is critically dependent upon~~
- 5 ~~transportation, its current transportation system relies primarily~~
- 6 ~~upon a street and highway system designed to accommodate far~~
- 7 ~~fewer vehicles than are currently using the system.~~
- 8 ~~(b) California's transportation system is characterized by~~
- 9 ~~fragmented planning, both among jurisdictions involved and among~~
- 10 ~~the means of available transport.~~
- 11 ~~(c) The lack of an integrated system and the increase in the~~
- 12 ~~number of vehicles are causing traffic congestion that each day~~
- 13 ~~results in 400,000 hours lost in traffic, 200 tons of pollutants~~

1 released into the air we breathe, and three million one hundred
2 thousand dollars (\$3,100,000) added costs to the motoring public.

3 (d) To keep California moving, all methods and means of
4 transport between major destinations must be coordinated to
5 connect our vital economic and population centers.

6 (e) In order to develop the California economy to its full
7 potential, it is intended that federal, state, and local agencies join
8 with transit districts, business, private, and environmental interests
9 to develop and implement comprehensive strategies needed to
10 develop appropriate responses to transportation needs.

11 (f) In addition to solving California's traffic congestion crisis,
12 rebuilding California's cities and suburbs, particularly with
13 affordable housing and more walkable neighborhoods, is an
14 important part of accommodating future increases in the state's
15 population because homeownership is only now available to most
16 Californians who are on the fringes of metropolitan areas and far
17 from employment centers.

18 (g) The Legislature intends to do everything within its power
19 to remove regulatory barriers around the development of infill
20 housing, transit-oriented development, and mixed use commercial
21 development to reduce regional traffic congestion and provide
22 more housing choices for all Californians.

23 (h) The removal of regulatory barriers to promote infill housing,
24 transit-oriented development, or mixed use commercial
25 development does not preclude a city or county from holding a
26 public hearing nor from finding that an individual infill project
27 would be adversely impacted by the surrounding environment or
28 transportation patterns.

29 (i) The Legislature intends that the provisions of the act that
30 added this subdivision be carried out in a manner that promotes
31 reductions in greenhouse gas emissions and vehicle miles traveled,
32 related economic, environmental, and health benefits called for in
33 the Sustainable Communities and Climate Protection Act of 2008
34 (Chapter 728 of the Statutes of 2008), and the implementation of
35 complete streets, as described in paragraph (2) of subdivision (b)
36 of Section 65302.

37 SEC. 2. Section 65088.1 of the Government Code is amended
38 to read:

39 65088.1. As used in this chapter the following terms have the
40 following meanings:

1 ~~(a) Unless the context requires otherwise, “agency” means the~~
2 ~~agency responsible for the preparation and adoption of the~~
3 ~~congestion management program.~~

4 ~~(b) “Bus rapid transit corridor” means a bus service that includes~~
5 ~~at least four of the following attributes:~~

6 ~~(1) Coordination with land use planning.~~

7 ~~(2) Exclusive right-of-way.~~

8 ~~(3) Improved passenger boarding facilities.~~

9 ~~(4) Limited stops.~~

10 ~~(5) Passenger boarding at the same height as the bus.~~

11 ~~(6) Prepaid fares.~~

12 ~~(7) Real-time passenger information.~~

13 ~~(8) Traffic priority at intersections.~~

14 ~~(9) Signal priority.~~

15 ~~(10) Unique vehicles.~~

16 ~~(c) “Commission” means the California Transportation~~
17 ~~Commission.~~

18 ~~(d) “Department” means the Department of Transportation.~~

19 ~~(e) “Infill opportunity zone” means a specific area designated~~
20 ~~by a city or county, pursuant to subdivision (c) of Section 65088.4.~~

21 ~~(f) “Interregional travel” means any trips that originate outside~~
22 ~~the boundary of the agency. A “trip” means a one-direction vehicle~~
23 ~~movement. The origin of any trip is the starting point of that trip.~~
24 ~~A roundtrip consists of two individual trips.~~

25 ~~(g) “Level of service standard” is a threshold that defines a~~
26 ~~deficiency on the congestion management program highway and~~
27 ~~roadway system which requires the preparation of a deficiency~~
28 ~~plan. It is the intent of the Legislature that the agency shall use all~~
29 ~~elements of the program to implement strategies and actions that~~
30 ~~avoid the creation of deficiencies and to improve multimodal~~
31 ~~mobility.~~

32 ~~(h) “Local jurisdiction” means a city, a county, or a city and~~
33 ~~county.~~

34 ~~(i) “Multimodal” means the utilization of all available modes~~
35 ~~of travel that enhance the movement of people and goods,~~
36 ~~including, but not limited to, highway, transit, nonmotorized, and~~
37 ~~demand management strategies, including, but not limited to,~~
38 ~~telecommuting. The availability and practicality of specific~~
39 ~~multimodal systems, projects, and strategies may vary by county~~

1 and region in accordance with the size and complexity of different
2 urbanized areas.

3 (j) (1) “Parking cash-out program” means an employer-funded
4 program under which an employer offers to provide a cash
5 allowance to an employee equivalent to the parking subsidy that
6 the employer would otherwise pay to provide the employee with
7 a parking space. “Parking subsidy” means the difference between
8 the out-of-pocket amount paid by an employer on a regular basis
9 in order to secure the availability of an employee parking space
10 not owned by the employer and the price, if any, charged to an
11 employee for use of that space.

12 (2) A parking cash-out program may include a requirement that
13 employee participants certify that they will comply with guidelines
14 established by the employer designed to avoid neighborhood
15 parking problems, with a provision that employees not complying
16 with the guidelines will no longer be eligible for the parking
17 cash-out program.

18 (k) “Performance measure” is an analytical planning tool that
19 is used to quantitatively evaluate transportation improvements and
20 to assist in determining effective implementation actions,
21 considering all modes and strategies. Use of a performance measure
22 as part of the program does not trigger the requirement for the
23 preparation of deficiency plans.

24 (l) “Urbanized area” has the same meaning as is defined in the
25 1990 federal census for urbanized areas of more than 50,000
26 population.

27 (m) Unless the context requires otherwise, “regional agency”
28 means the agency responsible for preparation of the regional
29 transportation improvement program.

30 SEC. 3. Section 65088.4 of the Government Code is amended
31 to read:

32 65088.4. (a) It is the intent of the Legislature to balance the
33 need for level of service standards for traffic with the need to build
34 infill housing and mixed use commercial developments within
35 walking distance of mass transit facilities, downtowns, and town
36 centers and to provide greater flexibility to local governments to
37 balance these sometimes competing needs.

38 (b) Notwithstanding any other provision of law, if level of
39 service standards are used in a congestion management program,

1 ~~those standards shall not apply to the streets and highways within~~
2 ~~an infill opportunity zone.~~

3 ~~(e) The city or county may designate an infill opportunity zone~~
4 ~~by adopting a resolution after determining that the infill opportunity~~
5 ~~zone is consistent with the general plan and any applicable specific~~
6 ~~plan, and is a transit priority area within a sustainable communities~~
7 ~~strategy or alternative planning strategy adopted by the applicable~~
8 ~~metropolitan planning organization.~~

9 ~~SEC. 4. Section 65089 of the Government Code is amended~~
10 ~~to read:~~

11 ~~65089. (a) A congestion management program shall be~~
12 ~~developed, adopted, and updated biennially, consistent with the~~
13 ~~schedule for adopting and updating the regional transportation~~
14 ~~improvement program, for every county that includes an urbanized~~
15 ~~area, and shall include every city and the county. The program~~
16 ~~shall be adopted at a noticed public hearing of the agency. The~~
17 ~~program shall be developed in consultation with, and with the~~
18 ~~cooperation of, the transportation planning agency, regional~~
19 ~~transportation providers, local governments, the department, and~~
20 ~~the air pollution control district or the air quality management~~
21 ~~district, either by the county transportation commission, or by~~
22 ~~another public agency, as designated by resolutions adopted by~~
23 ~~the county board of supervisors and the city councils of a majority~~
24 ~~of the cities representing a majority of the population in the~~
25 ~~incorporated area of the county.~~

26 ~~(b) The program shall contain all of the following elements:~~

27 ~~(1) Measures of effectiveness established for a system of~~
28 ~~highways and roadways designated by the agency. The highway~~
29 ~~and roadway system shall include at a minimum all state highways~~
30 ~~and principal arterials. No highway or roadway designated as a~~
31 ~~part of the system shall be removed from the system. All new state~~
32 ~~highways and principal arterials shall be designated as part of the~~
33 ~~system, except when it is within an infill opportunity zone.~~

34 ~~(2) A performance element that includes performance measures~~
35 ~~to evaluate current and future multimodal system performance for~~
36 ~~the movement of people and goods. At a minimum, these~~
37 ~~performance measures shall incorporate highway and roadway~~
38 ~~system performance, and measures established for the frequency~~
39 ~~and routing of public transit, and for the coordination of transit~~
40 ~~service provided by separate operators. These performance~~

1 ~~measures shall support mobility, air quality, greenhouse gas~~
2 ~~emissions reductions, land use, and economic objectives, and shall~~
3 ~~be used in the development of the capital improvement program~~
4 ~~required pursuant to paragraph (5), deficiency plans required~~
5 ~~pursuant to Section 65089.4, and the land use analysis program~~
6 ~~required pursuant to paragraph (4).~~

7 ~~(3) A travel demand element that promotes alternative~~
8 ~~transportation methods, including, but not limited to, carpools,~~
9 ~~vanpools, transit, bicycles, and park-and-ride lots; improvements~~
10 ~~in the balance between jobs and housing; and other strategies,~~
11 ~~including, but not limited to, flexible work hours, telecommuting,~~
12 ~~and parking management programs. The agency shall consider~~
13 ~~parking cash-out programs during the development and update of~~
14 ~~the travel demand element.~~

15 ~~(4) A program to analyze the relationship between land use~~
16 ~~decisions made by local jurisdictions and regional transportation~~
17 ~~systems, as reflected in regional transportation plans. This program~~
18 ~~shall measure, to the extent possible, the effectiveness of the~~
19 ~~transportation system using the performance measures described~~
20 ~~in paragraph (2). The program defined under this section may~~
21 ~~require implementation through the requirements and analysis of~~
22 ~~the California Environmental Quality Act, in order to avoid~~
23 ~~duplication.~~

24 ~~(5) A seven-year capital improvement program, developed using~~
25 ~~the performance measures described in paragraph (2) to determine~~
26 ~~effective projects that maintain or improve the performance of the~~
27 ~~multimodal system for the movement of people and goods. To the~~
28 ~~extent that the program identifies capacity enhancements, the~~
29 ~~program shall evaluate the potential for the capacity enhancement~~
30 ~~to induce additional travel. The program shall conform to~~
31 ~~transportation-related vehicle emission air quality mitigation~~
32 ~~measures, and include any project that will increase the capacity~~
33 ~~of the multimodal system. It is the intent of the Legislature that,~~
34 ~~when roadway projects are identified in the program, consideration~~
35 ~~be given for maintaining bicycle access and safety at a level~~
36 ~~comparable to that which existed prior to the improvement or~~
37 ~~alteration. The capital improvement program may also include~~
38 ~~safety, maintenance, and rehabilitation projects that do not enhance~~
39 ~~the capacity of the system but are necessary to preserve the~~
40 ~~investment in existing facilities.~~

1 ~~(e) The agency, in consultation with the regional agency, cities,~~
2 ~~and the county, shall develop a uniform data base on transportation~~
3 ~~conditions for use in a countywide transportation computer model~~
4 ~~and shall approve transportation computer models of specific areas~~
5 ~~within the county that will be used by local jurisdictions to~~
6 ~~determine the quantitative impacts of development on the~~
7 ~~circulation system that are based on the countywide model and~~
8 ~~standardized modeling assumptions and conventions. The computer~~
9 ~~models shall be consistent with the modeling methodology adopted~~
10 ~~by the regional planning agency. The data bases used in the models~~
11 ~~shall be consistent with the data bases used by the regional planning~~
12 ~~agency. Where the regional agency has jurisdiction over two or~~
13 ~~more counties, the data bases used by the agency shall be consistent~~
14 ~~with the data bases used by the regional agency.~~

15 ~~(d) (1) The city or county in which a commercial development~~
16 ~~will implement a parking cash-out program that is included in a~~
17 ~~congestion management program pursuant to subdivision (b), or~~
18 ~~in a deficiency plan pursuant to Section 65089.4, shall grant to~~
19 ~~that development an appropriate reduction in the parking~~
20 ~~requirements otherwise in effect for new commercial development.~~

21 ~~(2) At the request of an existing commercial development that~~
22 ~~has implemented a parking cash-out program, the city or county~~
23 ~~shall grant an appropriate reduction in the parking requirements~~
24 ~~otherwise applicable based on the demonstrated reduced need for~~
25 ~~parking, and the space no longer needed for parking purposes may~~
26 ~~be used for other appropriate purposes.~~

27 ~~(e) Pursuant to the federal Intermodal Surface Transportation~~
28 ~~Efficiency Act of 1991 and regulations adopted pursuant to the~~
29 ~~act, the department shall submit a request to the Federal Highway~~
30 ~~Administration Division Administrator to accept the congestion~~
31 ~~management program in lieu of development of a new congestion~~
32 ~~management system otherwise required by the act.~~

33 ~~SEC. 5. Section 65089.3 of the Government Code is amended~~
34 ~~to read:~~

35 ~~65089.3. The agency shall monitor the implementation of all~~
36 ~~elements of the congestion management program. The department~~
37 ~~is responsible for data collection and analysis on state highways;~~
38 ~~unless the agency designates that responsibility to another entity.~~
39 ~~The agency may also assign data collection and analysis~~
40 ~~responsibilities to other owners and operators of facilities or~~

1 services if the responsibilities are specified in its adopted program.
2 The agency shall consult with the department and other affected
3 owners and operators in developing data collection and analysis
4 procedures and schedules before program adoption. At least
5 biennially, the agency shall determine if the county and cities are
6 conforming to the congestion management program, including,
7 but not limited to, all of the following:

8 (a) Achieving performance standards for the transportation
9 system as provided in the performance element.

10 (b) Adoption and implementation of a program to analyze the
11 relationship between land use decisions and the regional
12 transportation system.

13 (c) Adoption and implementation of a deficiency plan pursuant
14 to Section 65089.4.

15 SEC. 6. Section 65089.4 of the Government Code is amended
16 to read:

17 65089.4. (a) If the agency determines that a county or its cities
18 is not conforming to the congestion management plan, a local
19 jurisdiction shall prepare a deficiency plan. The deficiency plan
20 shall be adopted by the city or county at a noticed public hearing.

21 (b) The agency shall calculate the impacts subject to exclusion
22 pursuant to subdivision (f), after consultation with the regional
23 agency, the department, and the local air quality management
24 district or air pollution control district. If level of service standards
25 are used in a congestion management program, and if the calculated
26 traffic level of service following exclusion of these impacts is
27 consistent with the level of service standard, the agency shall make
28 a finding at a publicly noticed meeting that no deficiency plan is
29 required and shall notify the affected local jurisdiction.

30 (c) The agency shall be responsible for preparing and adopting
31 procedures for local deficiency plan development and
32 implementation responsibilities, consistent with the requirements
33 of this section. The deficiency plan shall include all of the
34 following:

35 (1) An analysis of the cause of the deficiency. This analysis
36 shall include the following:

37 (A) Identification of the cause of the deficiency.

38 (B) Identification of the impacts of those local jurisdictions
39 within the jurisdiction of the agency that contribute to the
40 deficiency. These impacts shall be identified only if traffic level

1 of service standards are used in the congestion management
2 program and if the calculated traffic level of service following
3 exclusion of impacts pursuant to subdivision (f) indicates that the
4 level of service standard has not been maintained, and shall be
5 limited to impacts not subject to exclusion.

6 (2) A list of improvements, programs, or actions, and estimates
7 of costs, that will (A) measurably improve multimodal
8 performance, using measures defined in paragraphs (1) and (2) of
9 subdivision (b) of Section 65089, and (B) contribute to significant
10 improvements in air quality, such as improved public transit service
11 and facilities, improved nonmotorized transportation facilities,
12 high occupancy vehicle facilities, parking cash-out programs, and
13 transportation control measures. The air quality management
14 district or the air pollution control district shall establish and
15 periodically revise a list of approved improvements, programs,
16 and actions that meet the scope of this paragraph. If an
17 improvement, program, or action on the approved list has not been
18 fully implemented, it shall be deemed to contribute to significant
19 improvements in air quality. If an improvement, program, or action
20 is not on the approved list, it shall not be implemented unless
21 approved by the local air quality management district or air
22 pollution control district.

23 (3) An action plan, consistent with the provisions of Chapter 5
24 (commencing with Section 66000), that shall be implemented,
25 consisting of improvements, programs, or actions identified in
26 paragraph (2), that are found by the agency to be in the interest of
27 the public health, safety, and welfare. The action plan shall include
28 a specific implementation schedule. The action plan shall include
29 implementation strategies for those jurisdictions that have
30 contributed to the cause of the deficiency in accordance with the
31 agency's deficiency plan procedures. The action plan need not
32 mitigate the impacts of any exclusions identified in subdivision
33 (f). Action plan strategies shall identify the most effective
34 implementation strategies for improving current and future system
35 performance.

36 (d) A local jurisdiction shall forward its adopted deficiency plan
37 to the agency within 12 months of the identification of a deficiency.
38 The agency shall hold a noticed public hearing within 60 days of
39 receiving the deficiency plan. Following that hearing, the agency
40 shall either accept or reject the deficiency plan in its entirety, but

1 the agency may not modify the deficiency plan. If the agency
2 rejects the plan, it shall notify the local jurisdiction of the reasons
3 for that rejection, and the local jurisdiction shall submit a revised
4 plan within 90 days addressing the agency's concerns. Failure of
5 a local jurisdiction to comply with the schedule and requirements
6 of this section shall be considered to be noneconformance for the
7 purposes of Section 65089.5.

8 (e) The agency shall incorporate into its deficiency plan
9 procedures, a methodology for determining if deficiency impacts
10 are caused by more than one local jurisdiction within the
11 boundaries of the agency.

12 (1) If, according to the agency's methodology, it is determined
13 that more than one local jurisdiction is responsible for causing a
14 deficient segment or intersection, all responsible local jurisdictions
15 shall participate in the development of a deficiency plan to be
16 adopted by all participating local jurisdictions.

17 (2) The local jurisdiction in which the deficiency occurs shall
18 have lead responsibility for developing the deficiency plan and for
19 coordinating with other impacting local jurisdictions. If a local
20 jurisdiction responsible for participating in a multi-jurisdictional
21 deficiency plan does not adopt the deficiency plan in accordance
22 with the schedule and requirements of paragraph (a) of this section,
23 that jurisdiction shall be considered in noneconformance with the
24 program for purposes of Section 65089.5.

25 (3) The agency shall establish a conflict resolution process for
26 addressing conflicts or disputes between local jurisdictions in
27 meeting the multi-jurisdictional deficiency plan responsibilities
28 of this section.

29 (f) The analysis of the cause of the deficiency prepared pursuant
30 to paragraph (1) of subdivision (e) shall exclude the following:

31 (1) Interregional travel.

32 (2) Construction, rehabilitation, or maintenance of facilities that
33 impact the system.

34 (3) Freeway ramp metering.

35 (4) Traffic signal coordination by the state or multi-jurisdictional
36 agencies.

37 (5) Traffic generated by the provision of low-income and very
38 low income housing.

39 (6) Traffic generated by any mixed use development located
40 within a transit priority project area or infill opportunity zone. For

1 ~~purposes of this paragraph, “mixed use development” means~~
2 ~~development that integrates compatible commercial or retail uses,~~
3 ~~or both, with residential uses, and that, due to the proximity of job~~
4 ~~locations, shopping opportunities, and residences, will discourage~~
5 ~~new trip generation.~~

6 ~~(7) Traffic generated by any transit priority project, as defined~~
7 ~~in Section 21155 of the Public Resources Code.~~

8 ~~(8) Improvements to facilities for bicyclists, pedestrians, and~~
9 ~~public transportation.~~

10 ~~(g) Nothing in this section shall be interpreted to require a local~~
11 ~~agency to implement improvements to reduce delay at intersections~~
12 ~~or roadway segments that the local agency determines would~~
13 ~~impede the development of a balanced, multimodal transportation~~
14 ~~network that meets the needs of all users of the streets, roads, and~~
15 ~~highways for safe and convenient travel in a manner set forth in~~
16 ~~the circulation element of the local agency’s general plan.~~

17 *SECTION 1. Section 53909 is added to the Government Code,*
18 *to read:*

19 *53909. (a) A city, county, city and county, or special district*
20 *shall, within six months of the close of the fiscal year, post a link*
21 *on the homepage of its Internet Web site that contains the names,*
22 *positions, and total compensation, including a breakdown of the*
23 *types of compensation provided, of each elected official within*
24 *that entity for the previous fiscal year and the 10 employees with*
25 *the greatest total compensation, determined pursuant to subdivision*
26 *(b). If a city or special district does not have an Internet Web site,*
27 *it shall work with the relevant county to post the information on*
28 *the county’s Internet Web site.*

29 *(b) The city, county, city and county, or special district shall*
30 *aggregate the total compensation for an employee, including all*
31 *positions held by that employee during the fiscal year, to determine*
32 *the 10 employees with the greatest total compensation.*

33 *(c) For purposes of this section “total compensation” includes*
34 *payments for salaries, overtime, unused vacation time, stipends,*
35 *pension contributions, retirement contributions, health premium*
36 *contributions, automobile allowances, phone allowances, and*
37 *technology allowances. Any other type of compensation that the*
38 *city, county, city and county, or special district provides shall also*
39 *be included and specified. “Total compensation” does not include*
40 *reimbursements or payments for work-related travel expenses.*

1 ~~SEC. 7.~~

2 ~~SEC. 2.~~ If the Commission on State Mandates determines that
3 this act contains costs mandated by the state, reimbursement to
4 local agencies and school districts for those costs shall be made
5 pursuant to Part 7 (commencing with Section 17500) of Division
6 4 of Title 2 of the Government Code.

7 ~~SEC. 8.~~ This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety within
9 the meaning of Article IV of the Constitution and shall go into
10 immediate effect. The facts constituting the necessity are:

11 ~~In order to reduce the financial burden and hurdles to~~
12 ~~development caused by duplicative transportation and land use~~
13 ~~planning analyses, and to give local agencies flexibility to quickly~~
14 ~~update their plans to provide for a safe transportation system for~~
15 ~~all users, it is necessary that this act take effect immediately.~~